

CITY OF AUSTIN ELECTION CALENDAR

NOVEMBER 8, 2016 GENERAL ELECTION

- May 6 Candidate packet available electronically and in hardcopy from the City Clerk's office.¹
- May 12 First day an officeholder, a candidate for mayor or city council, or an officeholder's or candidate's committee may solicit or accept a political contribution.²
(NOTE: A campaign treasurer designation must be filed before any contribution can be accepted or expenditure made, including from personal funds.)³
- July 15 Deadline for filing hard-copy semiannual report of campaign contributions, along with the required structured data file, with the City Clerk's office (applicable to candidates, officeholders, specific-purpose and/or general-purpose political committees required to file by Title 15 of the Texas Election Code and under rules adopted by the Texas Ethics Commission). The deadline is 5:00 p.m.⁴
- July 25 First day a candidate may submit an application for a place on the ballot.⁵
(NOTE: Candidate must have filed a campaign treasurer appointment prior to filing an application for a place on the ballot.)⁶
- [Although not specifically tied to this date, please note the following: the deadline for filing the voluntary "campaign contract" delineated in City Code 2-2-11 is the earlier of (1) 30 days after he or she becomes a candidate under the Texas Election Code; or (2) the date the candidate files for a place on the ballot." For additional information, please refer to the Texas Election Code and the City Clerk's document entitled "Candidate and Officeholder Brochure on Campaign Finance."]⁷
- August 11 City Council orders election, as this is the first available regular council meeting date which falls within the statutory window to call general and special elections.⁸
(NOTE: In the event of a combined general and special (bond) election, the available date range for calling the elections is August 10 – 22. During that time window there are two regular council meetings scheduled (August 11 and 18), but the later date will be used only if so specified by council.)
- August 22 Last day a candidate may file an application for a place on the ballot. The deadline is 5:00 p.m.⁹
- August 23 City Clerk conducts drawing for order of names on ballot (scheduled for 2:00 p.m., City Hall, 301 W. Second Street.)¹⁰
- August 29 Deadline for a candidate to file "public statement of financial information" required by City Code 2-7-74(A) with the City Clerk's office.¹¹ The deadline is 4:45 p.m.¹²
- August 29 Deadline for a candidate to withdraw his/her name from the ballot. The deadline is 5:00 p.m.¹³
- September 9 First day to apply (by mail or fax) for an early ballot to be voted by mail.¹⁴
(NOTE: Ballots will be mailed to persons who have applied to vote early by mail.)
- September 12 Deadline for a candidate to file the "Personal Financial Statement" form required by state statute with the City Clerk's office. See endnote 15 for deadline time(s).¹⁵

October 11	Deadline for filing hard-copy of the first statement of campaign contributions and expenditures (“30th Day Before Election” report), along with the required structured data file, with the City Clerk’s office. This report must be filed by opposed candidates who have not filed a declaration of intent to follow modified reporting procedures, and by specific-purpose and/or general-purpose political committees involved in the election supporting or opposing opposed candidates, which political committees are required to file by Title 15 of the Texas Election Code and under rules adopted by the Texas Ethics Commission. ¹⁶ <u>The deadline is 5:00 p.m.</u> ¹⁷
October 11	Deadline to register to vote either early or on Election Day. ¹⁸
October 24	First day of early voting by personal appearance. ¹⁹
October 28	Last day to apply (by mail or fax) for an early ballot to be voted by mail. ²⁰
October 31	Deadline for filing hard-copy of the second statement of campaign contributions and expenditures (“8th Day Before Election” report), along with the required structured data file, with the City Clerk’s office. This report must be filed by opposed candidates who have not filed a declaration of intent to follow modified reporting procedures, and by specific-purpose and/or general-purpose political committees involved in the election supporting or opposing opposed candidates, which political committees are required to file by Title 15 of the Texas Election Code and under rules adopted by the Texas Ethics Commission. ²¹ <u>The deadline is 5:00 p.m.</u> ²²
November 4	Last day of early voting by personal appearance. ²³
November 8	ELECTION DAY
November 11	Last day for a candidate in a runoff election to withdraw from the runoff. <u>The deadline is 5:00 p.m.</u> ²⁴
November 21	City Council canvasses results of election at a special called meeting (scheduled for 10:00 a.m. in the Council Chambers, City Hall, 301 W. Second Street.) ²⁵ (NOTE: The statutorily-available date range for canvassing is November 16 – 21. Therefore, this date is the last permissible date for canvassing. If official election results are available from Travis County earlier than this deadline, the canvass may be moved to an earlier date upon proper notice given by the City Clerk. A regular council meeting is scheduled for November 17, which will be used subject to materials being received from Travis County.)

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1. Required by City Code 2-2-6(A)(B). “The city clerk shall prepare a candidate guide ... [and] make the candidate guide available cost-free in hard copy at least six months before a City election. The city clerk may also make the guide available online in an electronic format that is readily reproducible.”
 2. May not solicit or accept contribution except during the last 180 days before election, that being the period May 12 – November 7. Austin Charter, Article III, Sec. 8(F)(2).
 3. May not accept contribution or make expenditure when campaign treasurer appointment is not in effect. Texas Election Code, Sec. 253.031(a). Texas Ethics Commission’s “Campaign Finance Guide for

Candidates and Officeholders Who File with Local Filing Authorities” provides as follows: “... the law provides that you must file a campaign treasurer appointment form with the proper filing authority before you may accept a campaign contribution or make or authorize a campaign expenditure, including an expenditure from your personal funds.”

4. Candidate shall file semiannual report not later than July 15. Texas Election Code, Sec. 254.063(a)(b). Officeholder shall file semiannual report not later than July 15. Texas Election Code, Sec. 254.093(a)(b). Under City Code 2-2-26(A), a “candidate, officeholder, or political committee required by the City Code or state law to file a campaign finance report with the city clerk shall, in addition to the required report, also provide to the city clerk a structured data file containing the contents of the campaign finance report. The data file must comply with specifications and be on media determined by the city clerk. The data file must be provided to the city clerk no later than the date that the associated campaign finance report must be filed.” The Texas Ethics Commission’s “Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities” provides as follows: “The deadline for filing a report is 5 p.m. on the due date” and “... a document is filed on time if it is properly addressed with postage or handling charges prepaid and bears a postmark or receipt mark of a common or contract carrier indicating a time on or before the deadline.”
5. Application may not be filed earlier than the 30th day before the date of the filing deadline. Texas Election Code, Sec. 143.007(a). Filing deadline is August 22; therefore the first day for filing is the 30th day preceding, that being Saturday, July 23. However, Secretary of State has confirmed that “regular business hours” prevails, and the filing start date is therefore moved to next regular business day which is Monday, July 25.
6. Texas Ethics Commission’s “Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities” provides as follows: “... you must file an Appointment of a Campaign Treasurer by a Candidate (Form CTA) with the proper filing authority when you become a candidate even if you do not intend to accept campaign contributions or make campaign expenditures.”
7. City Code 2-2-11(A) says that a “candidate for mayor or city council may sign a contract with the City agreeing to abide by limitations on that candidate’s contributions and expenditures as specified in this article in exchange for benefits provided under this chapter” which would be to qualify for public funds from the Austin Fair Campaign Finance Fund. City Code 2-2-11(B) requires that a candidate sign the campaign contract the earlier of (1) 30 days after becoming a candidate under the Texas Election Code, or (2) the date the candidate files for a place on the ballot.
8. General election must be ordered not later than the 78th day before Election Day, that being August 22. Texas Election Code, Sec. 3.005(c)(1). Special (bond) election must be ordered not more than 90 days before Election Day, that being August 10. Therefore, the window for ordering a combined election would be August 10 – 22. There are two regular council meetings scheduled during that time window, and the earliest of August 11 is the preferred date for calling. The later date, August 18, will only be used if so specified by council.
9. Deadline for filing is not later than 5:00 p.m. of the 78th day before Election Day, that being August 22. Texas Election Code, Sec. 143.007(c)(1).
10. No statutory time is mandated, as drawing for general or special elections may be conducted at any time after the filing deadline.

11. Statement must be filed within five working days after the deadline for filing for office, that being August 22; therefore, five business days thereafter is August 29 which is the deadline for filing the required statement. City Code 2-7-74(A).
12. Statements required to be filed by City Code Article 5 "Financial Disclosure" must be "... received by the city clerk by 4:45 p.m. on the last day required." City Code 2-7-76.
13. May not withdraw after 5:00 p.m. of the 71st day before Election Day. Texas Election Code, Sec. 145.092(f). Candidate's name shall be omitted from ballot if there is a timely withdrawal before 5:00 p.m. of 71st day before Election Day. Texas Election Code, Sec. 145.094(a)(4).
14. Application must be submitted on or after the 60th day before Election Day (that being September 9) and before the close of regular business in the early voting clerk's office or 12:00 noon, whichever is later, on the ninth day before Election Day (that being 5:00 p.m. Sunday, October 30) unless that day is a Saturday, Sunday, or holiday, in which case the last day is the first preceding regular business day (that being Friday, October 28). Texas Election Code, Sec. 84.007(c). An application is considered to be submitted at the time of its receipt by the City Clerk. Texas Election Code, Sec. 84.007(d).
15. Personal Financial Statement is required by Texas Government Code, Sec. 572.021, and such requirement is extended to municipal candidates by Texas Local Government Code, Sec. 145.004(c). Candidate must file Personal Financial Statement with the City Clerk not later than the 20th day after the deadline for filing an application for a place on the ballot. The filing application deadline is August 22; therefore, the 20th day thereafter is Sunday, September 11 (since this falls on a Sunday, the date is extended to the next regular business day, as per Texas Election Code, Sec. 1.006(a)). Therefore, the deadline for filing the Personal Financial Statement is Monday, September 12. Texas Local Government Code, Sec. 145.004(g) states that a candidate will have timely filed if the Personal Financial Statement is personally delivered not later than 5:00 p.m. of the last day for filing (that being September 12) or, alternatively, if the City Clerk has adopted rules and procedures to provide for electronic filing and the candidate complies, then the candidate will have timely filed if the Personal Financial Statement is filed not later than midnight of the last day for filing the statement.
16. An opposed candidate shall file two additional reports, the first being due not later than the 30th day before Election Day (that being Sunday, October 9, but the deadline is extended by Texas Election Code, Sec. 1.006 to the next regular business day which is Tuesday, October 11, due to Monday, October 10 falling on the national holiday of Columbus Day); and the second being due not later than the 8th day before Election Day (that being October 31). Texas Election Code, Sec. 254.064(a)(b)(c). Texas Ethics Commission's "Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities" provides information under "Reports Due 30 Days and 8 Days Before an Election." Under City Code 2-2-26(A), a "candidate, officeholder, or political committee required by the City Code or state law to file a campaign finance report with the city clerk shall, in addition to the required report, also provide to the city clerk a structured data file containing the contents of the campaign finance report. The data file must comply with specifications and be on media determined by the city clerk. The data file must be provided to the city clerk no later than the date that the associated campaign finance report must be filed."
17. Required reports must be received by the City Clerk by the deadline. Texas Election Code, Sec. 254.064(b)(c).
18. An approved voter registration application becomes effective on the 30th day after the date the application is submitted to the voter registrar. A registration is effective for purposes of voting early if it will be effective on Election Day. Texas Election Code, Sec. 13.143. The deadline to register to vote falls

on Sunday, October 9, but is extended by Texas Election Code, Sec. 13.143(e) to the next regular business day which is Tuesday, October 11, due to Monday, October 10 falling on the national holiday of Columbus Day.

19. For an election held on the uniform election date in November, the period for early voting by personal appearance begins on the 17th day before Election Day (that being Saturday, October 22), but because the deadline falls on Saturday it is extended by Texas Election Code, Sec. 85.001(c) to the next regular business day (which is Monday, October 24), and early voting continues through the fourth day before Election Day (that being November 4). Texas Election Code, Sec. 85.001.
20. Application must be submitted on or after the 60th day before Election Day (that being September 9) and before the close of regular business in the early voting clerk's office or 12:00 noon, whichever is later, on the ninth day before Election Day (that being 5:00 p.m. Sunday, October 30) unless that day is a Saturday, Sunday, or holiday, in which case the last day is the first preceding regular business day (that being Friday, October 28). Texas Election Code, Sec. 84.007(c). An application is considered to be submitted at the time of its receipt by the City Clerk. Texas Election Code, Sec. 84.007(d).
21. An opposed candidate shall file two additional reports, the first being due not later than the 30th day before Election Day (that being Sunday, October 9, but the deadline is extended by Texas Election Code, Sec. 1.006 to the next regular business day which is Tuesday, October 11 due to Monday, October 10 falling on the national holiday of Columbus Day); and the second being due not later than the 8th day before Election Day (that being October 31). Texas Election Code, Sec. 254.064(a)(b)(c). Texas Ethics Commission's "Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities" provides information under "Reports Due 30 Days and 8 Days Before an Election." Under City Code 2-2-26(A), a "candidate, officeholder, or political committee required by the City Code or state law to file a campaign finance report with the city clerk shall, in addition to the required report, also provide to the city clerk a structured data file containing the contents of the campaign finance report. The data file must comply with specifications and be on media determined by the city clerk. The data file must be provided to the city clerk no later than the date that the associated campaign finance report must be filed."
22. Required reports must be received by the City Clerk by the deadline. Texas Election Code, Sec. 254.064(b)(c).
23. For an election held on the uniform election date in November, the period for early voting by personal appearance begins on the 17th day before Election Day (that being Saturday, October 22), but the deadline is extended by Texas Election Code, Sec. 85.001(c) to the next regular business day (that being Monday, October 24), and early voting continues through the fourth day before Election Day (that being November 4). Texas Election Code, Sec. 85.001.
24. May not withdraw after 5:00 p.m. of the third day after the date of the main election. Texas Election Code, Sec. 145.092(d). If a runoff candidate withdraws, the remaining candidate is considered to be elected and the runoff election for that office is not held. Texas Election Code, Sec. 145.095.
25. Canvass must be held not earlier than the eighth day after Election Day (that being November 16 for the earliest date to canvass), or later than the fourteenth day after Election Day (that being November 22 for the latest date to canvass). Texas Election Code, Sec. 67.003(c). However, if a special (bond) election is held at the same time, the canvass may not be held later than eleven days after election day. That statutory deadline falls on Saturday, November 19, so the date is extended to the next regular business day, as per Texas Election Code, Sec. 1.006(a). Therefore, the latest date for holding the canvass is Monday, November 21.